

City Council Introduction: **Monday**, April 8, 2002
Public Hearing: **Monday**, April 15, 2002, at **1:30 p.m.**

Bill No. 02-47

FACTSHEET

TITLE: **STREET & ALLEY VACATION NO. 02002**, requested by Leonard and Julie Hector, to vacate the public right-of-way of the east-west alley adjacent to Lot 63, Capital Heights Addition to University Place, generally located east of No. 51st Street, one block south of Y Street.

STAFF RECOMMENDATION: A finding of conformance with the Comprehensive Plan.

ASSOCIATED REQUESTS: None.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 03/20/02
Administrative Action: 03/20/02

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (9-0: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward, Bills-Strand and Taylor voting 'yes').

FINDINGS OF FACT:

1. The staff recommendation to find the proposed alley vacation to be in conformance with the Comprehensive Plan is based on the "Analysis" as set forth on p.3, concluding that this vacation will allow the productive use of an alley and is supported by the Public Works & Utilities Department.
2. This application was placed on the Consent Agenda of the Planning Commission on March 20, 2002, and opened for public hearing. No one came forward the speak.
3. On March 20, 2002, the Planning Commission agreed with the staff recommendation and voted 9-0 to find the proposed alley vacation to be in conformance with the Comprehensive Plan.
4. The City Clerk has determined that the provisions of Chapter 14.20 of the Lincoln Municipal Code have been met.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: March 25, 2002

REVIEWED BY: _____

DATE: March 25, 2002

REFERENCE NUMBER: FS\CC\2002\SAV.02002

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Street and Alley Vacation #02002
North 51st and one block south of "Y" Street

DATE: February 21, 2002

PROPOSAL: To vacate the alley adjacent to the petitioners lot to increase the size of the yard.

LAND AREA: 1,800 square feet, more or less (12' x 150').

CONCLUSION: In conformance with the Comprehensive Plan. This vacation will allow the productive use of an alley and is supported by the Public Works & Utilities Department.

<u>RECOMMENDATION:</u>	Conforms to the Comprehensive Plan
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GENERAL INFORMATION:

LEGAL DESCRIPTION: The east-west alley adjacent to Lot 63, Capital Heights Addition to University Place.

LOCATION: Generally located east of North 51st Street one block south of "Y" Street.

APPLICANT: Leonard and Julie Hector
1000 N. 51st Street
Lincoln, NE 68504
(402)467-4430

OWNER: Same

CONTACT: Same

SURROUNDING LAND USE AND ZONING:

North:	Residential	R-2, Residential
South:	Bike Trail	R-2
East:	Residential	R-2
West:	Riley Elementary School, Residential	P, Public, R-2

COMPREHENSIVE PLAN SPECIFICATIONS: The Comprehensive Plan shows this area as Urban Residential (page 39).

HISTORY: The area was zoned A-2, Single Family Dwelling District until it was updated to R-2, Residential during the 1979 zoning update.

In 1907, Capital Heights Addition to University Place was platted.

UTILITIES: There are no existing utilities in the area of the proposed vacation.

TRAFFIC ANALYSIS: N 51st Street and “Y” Street are both classified as local streets in the Comprehensive Plan.

ANALYSIS:

1. This is an application for a vacation of the public right-of-way adjacent to Lot 63, Capital Heights Addition to University Place.
2. There is a bike trail located to the south adjacent to the alley.
3. Currently the alley is grass, overgrown with brush and is not being used as right-of-way.
4. There is a north-south alley in the rear of the lots that provides rear access to the houses on the block. Currently the north-south alley is a dead-end. An alley exists to the east of the alley requested for vacation, however is not being used as an alley, but instead is blocked with trash cans and yard waste. The Public Works & Utilities Department indicated they wanted to keep the east extension of an alley for access purposes so the north-south alley would not be a dead-end.
5. The area proposed for vacation has a steep grade difference on the south side adjacent to the trail. Currently, the difference in grade prevents the safe use of the alley.
6. There are no utilities in the area of the alley and no easements will need to be retained.
7. The Parks and Recreation Department indicated that the vacation has no impact on the existing trail and they have no objection.
8. The Public Works & Utilities Department recommends approval of this request.

BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA THE FOLLOWING MUST BE COMPLETED:

- 1.1 The provisions of Chapter 14.20 of the Lincoln Municipal Code are met.

Prepared by:

Becky Horner
Planner

STREET & VALLEY VACATION NO. 02002

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

March 20, 2002

Members present: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward, Bills-Strand and Taylor.

The Consent agenda consisted of the following items: **STREET AND ALLEY VACATION NO. 02002; WAIVER OF DESIGN STANDARDS NO. 02003; and FINAL PLAT NO. 01037, STONE RIDGE ESTATES ADDITION.**

Carlson moved to approve the Consent Agenda, seconded by Duvall and carried 9-0: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward, Bills-Strand and Taylor voting 'yes'.

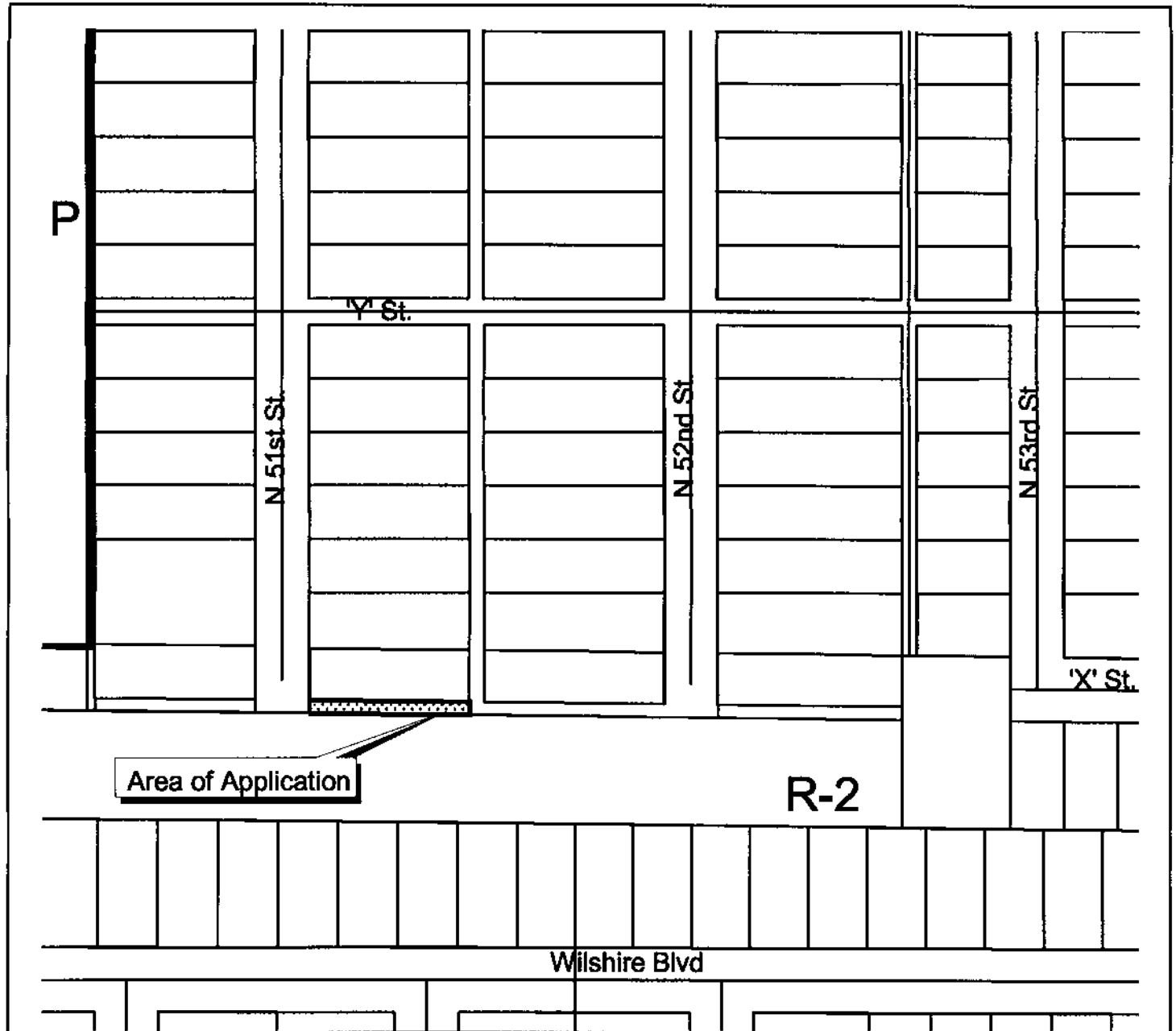
Note: This is final action on the Stone Ridge Estates Addition Final Plat No. 01037, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.



Street & Alley Vacation #02002
N. 51st & 'X' St



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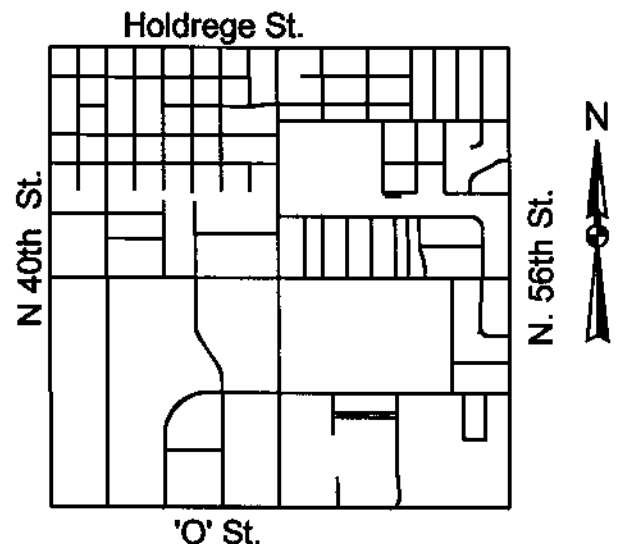
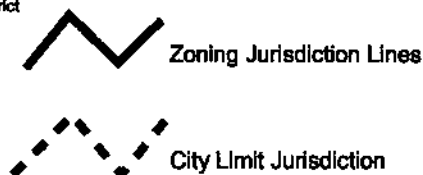


Street & Alley Vacation #02002 N. 51st & 'X' St

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 20 T10N R7E



006



February 11, 2002

Lincoln City/Lancaster County
Planning Commission
Lincoln, NE 68508

RE: Vacating the East-West Alley Adjacent to Lot 63
Capital Heights Addition to University Place


Dear Ladies and Gentlemen:

The Department of Public Works and Utilities has received a proper petition from Leonard and Julie Hector, owners of Lot 63, Capital Heights Addition to University Place, to vacate the above described public right-of-way. Petitioner requests this vacation to increase the size of the existing yard.

There are no existing utilities in the area for proposed vacation. There will be no need to retain easements in this area.

The Department of Public Works and Utilities recommends approval of this request. This vacation contains an area of 1,800 square feet, more or less.

Sincerely,



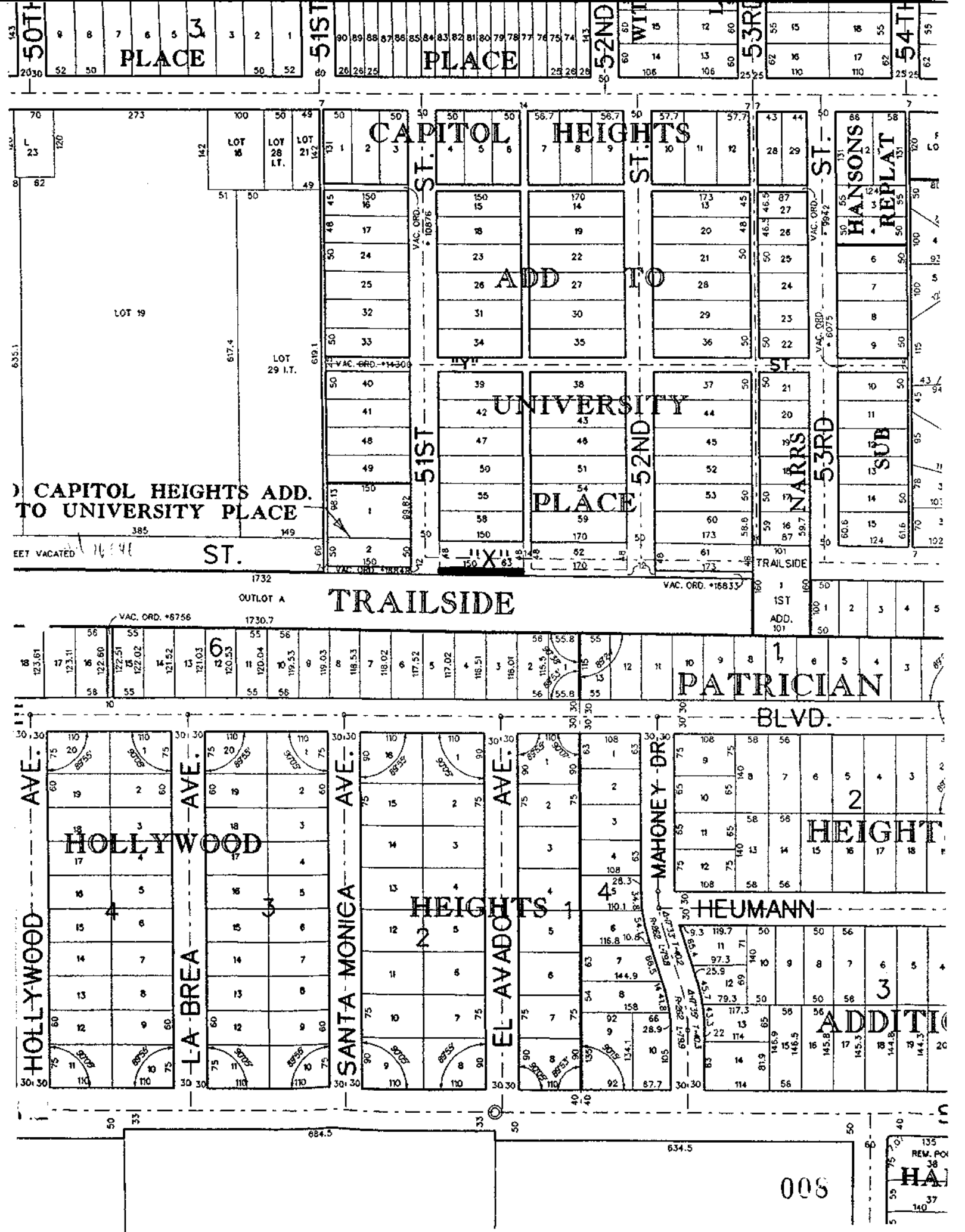
Byron Blum
Engineering Services

cc: Mayor Wesely
Allan Abbott
Marc Wullschleger
Roger Figard
Nicole Fleck-Tooze
Joan Ross
Clint Thomas
Dana Roper

51st & X Vac Idm.wpd

FEB 11 2002

007



**REVIEW OF PROPOSED RIGHT-OF-WAY VACATION
CITY OF LINCOLN, NEBRASKA**

TO: Parks & Recreation RE: Alley right-of-way vacation

ATTENTION OF: Lynn Johnson

The City has received a request to vacate the following:

Vacating the east-west alley adjacent to Lot 63 Capital Heights Addition to University Place

Kindly state your opinion or identify the reservations and easements which your organization will require provided this right-of-way is vacated. Complete ONLY in areas of your responsibility.

<u>Type of Facility</u>	<u>Facility Presently In Place</u>	<u>Facility to be Built - When?</u>
Sanitary Sewer	_____	_____
Water Mains	_____	_____
Storm Sewer	_____	_____
Electrical Power, Overhead	_____	_____
Electrical Power, Underground	_____	_____
Street Lighting	_____	_____
Steam Lines	_____	_____
Telephone Lines, Overhead	_____	_____
Telephone Lines, Underground	_____	_____
Gas Mains	_____	_____
Traffic Signal Interconnect	_____	_____
Reconstruction of Surface Features, Cost:	_____	_____
Street Trees	_____	_____

General Comments: *vacation should have no impact on the trail which is adjacent to this property.*

12-18-01
Date

Barrie Blum
Signature

441-7939
Phone Number

Return inquiry to:

Barrie Blum, Public Works, Engineering Services
531 Westgate Blvd., Suite 100
Lincoln, NE 68528

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